

IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

PATRICK R. HOLLEY, SR.,

Plaintiff,

No. CIV S-04-1425 GEB EFB P

vs.

THE CDC, et al.,

Defendants.

ORDER

Plaintiff is a prisoner without counsel suing for alleged civil rights violations. *See* 42 U.S.C. § 1983. On May 3, 2007, the court granted plaintiff a 60 day extension of time within which to file a response in opposition to defendants' motion for summary judgment. On June 13, 2007, plaintiff timely filed his opposition together with a cross-motion for summary judgment. On June 20, 2007, defendants filed a motion to strike plaintiff's motion for summary judgment as untimely. In light of the court's May 3, 2007, order, granting a 60 day extension of time, defendants' motion is denied.

So ordered.

Dated: November 27, 2007.


EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE